

Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 CIAE-00 COME-00 EB-08 INR-10 LAB-04
NSAE-00 SIL-01 HA-05 INT-05 DODE-00 NSCE-00
SSO-00 ICAE-00 INRE-00 PM-05 H-01 L-03 PA-01
SP-02 SS-15 TRSE-00 OMB-01 /076 W
-----080065 230131Z /13/44

O 221653Z AUG 78
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 1519

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CORRECTED COPY-TEXT (PARAS 5 & 6) - (PARAS RENUMBERED)

E.O. 11652: GDS
TAGS: ELAB PINT SHUM PE
SUBJ: MINER'S STRIKE

REF: (A) LIMA 7384, (B) LIMA 7178, (C) LIMA 7235

SUMMARY: THE GOP DECLARED A STATE OF EMERGENCY IN KEY MINING AREAS LATE AUGUST 21 AND SUSPENDED CONSTITUTIONAL GUARANTEES. ALTHOUGH SOME POSSIBILITIES OF A NEGOTIATED SETTLEMENT EXISTED, THIS STEP ALTERS THE SITUATION. IT IS TOO SOON TO TELL HOW WORKERS WILL REACT BUT STRIKE CONTINUED THIS MORNING IN ALMOST ALL AREAS; MINERS CURRENTLY MARCHING IN DOWNTOWN LIMA. THE CONSTITUTIONAL ASSEMBLY SESSION SCHEDULED FOR THE EVENING OF AUGUST 22 UNDOUBTEDLY WILL PRODUCE BITTER ATTACKS FROM LEFTIST LABOR LEADERS AND ADVISORS INVOLVED IN THE MINE STRIKE WHO ARE ALSO DELEGATES. END SUMMARY.

1. THE GOP AUGUST 21 SUSPENDED CONSTITUTIONAL GUARANTEES (ARTICLES 56, 61, 62, 67 AND 68) AND DECLARED A STATE OF EMERGENCY IN FIVE MINING DISTRICTS: THE PROVINCES OF PASCO AND YAULI (LA OROYA, MOROCOCHA AND CASAPALCA MINES); THE DEPARTMENTS OF PASCO AND JUNIN (CENTROMIN); THE DISTRICTS OF MARCONA (HIERROPERU) AND
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ILLABAYA (TOQUEPALA MINE); AND THE CITY OF ILO (SMELTERS).
THE GUARANTEES SUSPENDED INCLUDE: FREEDOM OF MOVEMENT, FREEDOM FROM ARBITRARY ARREST OR EXILE, FREEDOM OF ASSEMBLY AND FREEDOM FROM SEARCH IN ONE'S HOME WITHOUT A WARRANT. THE GOP DECLARATION CITED A "CLIMATE OF AGITATION AIMED AT DISTURBING THE PUBLIC ORDER" BY "IMPEDING NORMAL LABOR ACTIVITIES AND AGGRAVATING THE ECONOMIC SITUATION" AS THE REASON FOR THE MEASURES.

EMBASSY CHECK WITH SOUTHERN PERU OFFICIAL MORNING AUGUST 22 REPORTED STRIKE SITUATION REMAINS PRACTICALLY UNCHANGED. THE ANNOUNCEMENT CAME LATE AUGUST 21 AND POSSIBLE REACTIONS TO DECREE IN MINING AREAS ARE NOT EXPECTED UNTIL AUGUST 23.

2. LABOR MINISTER GARCIA CALDERON HAS BEEN MEETING WITH VARIOUS MINEWORKER REPRESENTATIVES INCLUDING FOCEP LEADER GENARO LEDESMA WHO INFORMALLY HAS ACTED AS LEADER OF CENTROMIN (FORMERLY CERRO DE PASCO) WORKERS, AND UDP CONSTITUENT ASSEMBLY DELEGATES VICTOR CUADROS, RICARDO DIEZ CHAVEZ AND HERNAN CUENTAS. CUADROS IS THE LEADER OF THE FEDERATION OF MINE AND METALWORKERS (FNTMM) WHOSE MOST IMPORTANT UNIONS ARE SOUTHERN PERU COPPER COMPANY'S (SPCC) TOQUEPALA MINE AND ILO SMELTER.

3. CTP'S SECRETARY GENERAL JULIO CRUZADO UNDERSTANDS THAT FOCEP'S LEDESMA AND RICARDO NAIPURI ARE WILLING TO WORK OUT A SOLUTION TO THE CENTROMIN STRIKE IF THE STATE-OWNED COMPLEX WILL MATCH SPCC'S OFFER TO FIRED WORKERS OF UP TO FOUR YEARS UNEMPLOYMENT PAYMENTS OF 30,000 SOLES PER MONTH PLUS SEVERANCE PAY (LIMA 7366). HOWEVER, LEDESMA AND NAIPURI INSIST ON THEIR DESIGNATING WHICH WORKERS ARE ELIGIBLE FOR SUCH BENEFITS.

4. CRUZADO ALSO UNDERSTOOD THAT THE RANK-AND-FILE IN CENTROMIN AND TOQUEPALA AS WELL AS MANY OF THE FIRED WORKERS THEMSELVES ARE READY TO ABANDON THEIR DEMAND FOR REHIRING ALL DISCHARGED WORKERS. THE MOST INTRANSIGENT HOLD-OUT AGAINST THIS SOLUTION
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IS FNTMM'S VICTOR CUADROS. CUADROS WAS SCHEDULED TO MEET WITH THE LABOR MINISTER AT 8:00 A.M. AUGUST 22. (IN VIEW OF THE GOP DECLARATION OF EMERGENCY, EMBASSY DOES NOT YET KNOW IF MEETING OCCURRED).

5. SEVERAL LEFTIST LABOR LEADERS AND ADVISORS INVOLVED IN THE STRIKE ENJOY PARLIAMENTARY IMMUNITY AS DELEGATES TO THE CONSTITUTIONAL ASSEMBLY. RUMORS THAT THIS IMMUNITY WOULD BE "LIMITED" ARE CIRCULATING IN LIMA (REFTEL A). THE GOP CONTROLLED "LA PRENSA" AUGUST 19 QUESTIONED AN "UNLIMITED" INTERPRETATION OF IMMUNITY AND STATED THAT THE ASSEMBLY SHOULD DECLARE WHETHER IT WOULD LIFT IMMUNITY IN CASES OF FLAGRANT CRIMES. HOWEVER, HAYA DE LA TORRE ALREADY HAS ASSURED FOCEP'S LEDESMA THAT HAYA WOULD NOT PERMIT THE EXPULSION OF LEFTISTS FROM THE ASSEMBLY. HAYA MAY BE SOMEWHAT COMPROMISED BY THE GOP'S DECLARATION OF EMERGENCY BECAUSE HE ALSO HAD SECURED LEDESMA'S AGREEMENT IN THE ASSEMBLY'S AUGUST 18 SESSION TO POSTPONE DISCUSSION OF THE MINERS' SITUATION IN ORDER TO MOVE ON THE RULES OF ORDER- THE ASSEMBLY IS SCHEDULED TO MEET THE EVENING OF AUGUST 22 AND THE MINE SITUATION PROBABLY AGAIN WILL DOMINATE ITS OPENING HOURS.

6. COMMENT: THE GOP'S DILEMMA OF RESTORING ORDER AND PRODUCTION IN THE VITAL MINERAL EXPORT AREA WHILE COMPLYING WITH DEMOCRATIC PRACTICES IN THE ASSEMBLY HAS NOT BEEN RESOLVED. WHETHER THE STRIKE CAN BE BROKEN WHILE KEY LEADERS ENJOY PARLIAMENTARY IMMUNITY REMAINS TO BE SEEN. FOR THEIR PART PPC AND APRA CANNOT BE EXPECTED TO ACCEPT A DEROGATION OF PARLIAMENTARY IMMUNITY WHICH WOULD TAINT THE CONSTITUTION AND THE SUBSEQUENT ELECTORAL PROCESS. ON THE OTHER HAND, PRESIDENT MORALES BERMUDEZ APPARENTLY REMAINS PERSUADED THAT THE CONCESSION OF REHIRING DISCHARGED WORKERS WOULD THREATEN UNITY WITHIN HIS CABINET AND CONCEIVABLY WITHIN THE ARMED FORCES. SHLAUDEMAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CONSTITUTIONAL LAW, POLITICAL REPRESSION, MINING INDUSTRY, LABOR STRIKES
Control Number: n/a
Copy: SINGLE
Draft Date: 22 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978LIMA07472
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780347-0287, D780343-0368
Format: TEL
From: LIMA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780838/aaaabfmp.tel
Line Count: 126
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: d77b635f-c288-dd11-92da-001cc4696bcc
Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 78 LIMA 7384, 78 LIMA 7178, 78 LIMA 7235
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 25 jul 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1663083
Secure: OPEN
Status: NATIVE
Subject: MINER'S STRIKE
TAGS: ELAB, PINT, SHUM, PE
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/d77b635f-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014